Jeopardy Assessment

for the Proposed Incidental Taking Authorization
of the Butler's Garter Snake

Wisconsin Gas Lateral Project
Waukesha and Jefferson Counties, Wisconsin

Background

The state-threatened Butler's garter snake is the smallest of the five Wisconsin garter snake species. Both sexes of this species reach maturity during their second full year and females deliver 4-19 live-born young in mid to late summer. This species requires a moderately open to open canopy habitat, preferably with both upland and wetland habitat. Butler's naturally hibernate in open-canopy wetlands (sedge meadows, fringes of cattail marshes, etc.) but are also known to occupy sites that provide other means for successful overwintering (i.e. old landfills where conditions provide access below the frostline and where adequate moisture exists).

The Butler's garter snake is a colonial species that is restricted to several southeastern counties in Wisconsin. There are currently 30 locations where this species has been documented from 1973 to present. Twenty-five of these records have been documented since 1990. Most sites that have been moderately to heavily surveyed for Butler's show a healthy age-class structure, indicating that regular recruitment is occurring on those sites. Surveys and monitoring since its listing in 1997 reveal that Butler's often occur in very large numbers on relatively small sites (i.e. 400+ snakes detected on a 20-acre site with less than 50% suitable [open canopy] habitat). Three intensive survey/monitoring efforts associated with mitigation for incidental take to date have involved large numbers of Butler's garter snakes (over 1200 Butler's on three isolated sites along Lincoln Creek within the City of Milwaukee). Surveys have also demonstrated that Butler's can occur, sometimes in high numbers, on highly disturbed and degraded sites. One example is the location of 62 Butler's during one survey of a brownfield site in the industrial heart of Milwaukee. Most of the snakes were found under pieces of broken concrete in a large, abandoned, gravel parking lot that was adjacent to a small wetland.

In Summary, the Butler's garter snake is a fast-maturing species with potentially high annual recruitment. It can sustain populations on highly disturbed sites if the disturbance factors are eliminated and suitable wetlands are present on or adjacent to these sites. Since 1997, most sites where Butler's were suspected to occur, based on proximity to known range and habitat and which were subsequently surveyed, verified their presence.

Jeopardy Assessment

Butler's gartersnake presence/absence surveys were conducted in or adjacent to 11 wetlands along the proposed Wisconsin Gas Company Lateral Line pipeline corridor. The proposed project will result in limited and temporary disturbance to Butler's gartersnake habitat through five wetlands and adjacent uplands at three sites along the proposed route. The department has determined that the Take of Butler's gartersnake individuals is anticipated to be low and is not expected to jeopardize their populations in any of the affected wetlands due to the temporary nature of the disturbance and the established conservation measures (see below). In addition, the proposed project is not likely to jeopardize the continued existence or recovery of the state population of these snakes or the whole plant-animal community of which they are a part. The disturbed habitats should recover with little or no impact to their quality following completion of the project. However, monitoring to detect and management to control invasive exotic plant species will occur for up to five years following the pipeline installation if the pipeline's wetland

disturbance results in invasive species encroachment. To minimize risks to the affected populations, we are requiring that the following conservation measures be implemented following pipeline installation.

Conservation Measures

The following conservation measures will be adhered to for the purpose of minimizing any adverse effect on the state threatened Butler's Garter snake.

1. Existing habitats must be restored to the same or better natural habitat conditions following the pipeline installation. Reseeding in uplands along the installation corridor must be done as soon as possible following installation in order to establish vegetation as quickly as possible.
2. All erosion and sediment control measures must be strictly adhered per applicable DNR permits. Erosion control structures must be removed as soon as enough vegetation has been established to effectively control erosion.
3. Monitoring and management must be done in wetlands containing Butler's gartersnakes in years 1,3 and 5 following pipeline installation to detect and control invading exotic plant species. If no invasive plants are detected after Year 3 monitoring, Year 5 can be eliminated.